



THE REGIONAL PLANNING COMMISSION

County of Los Angeles

MINUTES

Meeting Place: Room 150 Hall of Records
320 W. Temple Street
Los Angeles, California 90012
Meeting Date: September 7, 2016 - Wednesday

Time: 9:00 a.m.

Present:

Commissioners Shell, Smith, Louie, Pedersen, Modugno

Ex Officio Members:

Director of Public Works: Mr. Matthew Dubiel, Senior Civil Engineer

County Counsel: Mr. Joe Nicchitta, Deputy

Planning Director: Mr. Mitch Glaser, Assistant Administrator, Current Planning Division

Forester and Fire Warden: Ms. Janna Masi, Supervising Fire Prevention Engineer

PLEDGE OF ALLEGIANCE

1. The Pledge of Allegiance was led by Commissioner Louie representing the Second Supervisorial District.

APPROVAL OF AGENDA

2. Motion/second by Commissioners Modugno/Smith – That the Regional Planning Commission and Supplemental agendas for September 7, 2016 be approved.

At the direction of the Chair, the agendas were approved unanimously.

COUNTY COUNSEL REPORT

3. There were no reports given by County Counsel.

DIRECTOR/DEPUTY DIRECTOR

4. Mr. Glaser, Assistant Administrator informed the Commission that the Board of Supervisors appointed Nooshin Paidar and Mark Herwick as Hearing Officers within the Department of Regional Planning to conduct public hearings and make determinations on land use permits and variances.

09/07/16

MINUTES FOR APPROVAL

5. Motion/second by Commissioners Louie/Modugno – That the minutes for August 17, 2016 be approved.

At the direction of the Chair, the minutes were approved unanimously.

PUBLIC HEARINGS

Community Studies - North Section

Action Taken as Noted

- 5(x). **(Continued from 07/28/16 & 09/14/16). Project No. R2016-000348-(5). Altadena Community Standards District Update. Altadena, Northeast Pasadena and Mount Gleason Zoned Districts. a. Advance Planning No. 2016000640. To consider a comprehensive update to the Altadena Community Standards District for the unincorporated community of Altadena, which includes amendments to uses and development standards for residential and commercial zones, and other community-wide amendments. b. Environmental Assessment No. 2016002556. To consider a Negative Declaration as it has been determined that the project will not have a significant effect on the environment pursuant to CEQA reporting requirements. The matter was continued from July 28, 2016 to September 14, 2016. This request is to consider cancelling the September 14, 2016 meeting with remote testimony, and rescheduling the hearing to October 26, 2016 with remote testimony location to be determined.**

Mr. McDonald informed the Commission that staff is requesting to consider cancelling the September 14, 2016 meeting with remote testimony, and rescheduling the continued hearing to Wednesday, October 26, 2016 with remote testimony location to be determined.

The request is based on a request received from the CSD committee. Staff has been working with the CSD Committee as well as other Departments and Los Angeles County Department of Public Works staff, to consider the comments received and update the proposed CSD as appropriate. The CSD Committee has requested this additional time for public outreach and education before the next hearing.

Motion/second by Commissioners Modugno/Louie – That the Regional Planning Commission cancel the Wednesday, September 14, 2016 meeting with remote testimony, and reschedule the continued hearing to Wednesday, October 26, 2016 with remote location to be determined.

At the direction of the Chair, the item was continued to Wednesday, October 26, 2016.

09/07/16

PUBLIC HEARINGS (Cont.)

Zoning Permits - North Section

Project Approved

6. **(Appeal of Hearing Officer's Approval on 04/19/16). Project No. R2014-02411-(5). Applicant: Stephen Kuhn. Canyon Crest Road, Altadena (APN: 5830-003-016). Altadena Zoned District. a. Minor Conditional Use Permit No. 201400014. To authorize the construction of a single-family residence on a hillside property in the Altadena Community Standards District and the R-1-10000 (Single-Family Residence – 10,000 Square Feet Minimum Required Lot Area) zone. b. Oak Tree Permit No. 201400035. To authorize one oak tree removal and encroachments into the protected zone of nine other oak trees. c. Environmental Assessment No. 201400194. To consider a Negative Declaration, as the project will not have a significant effect on the environment, pursuant to CEQA requirements.**

Ms. Masis presented the staff report on behalf of Kristine Kulczycki. Ms. Masis informed the Commission that this is a request to construct a single-family residence on a hillside within the Altadena Community Standards District and includes one oak tree removal and encroachments into the protected zone of nine oak trees. This request was approved by the Hearing Officer on April 19, 2016 and was appealed on May 2, 2016 by Randall Baer on behalf of the Canyon Crest Conservancy.

Testimony was followed from Randall Baer the appellant, his consulting arborist Ms. Rebecca Latta, and attorney Mr. Mitchell Tsai testified in opposition to the project stating concerns mainly regarding the size and bulk of the proposed residence, impacts to biological resources and non-compliance with the Altadena CSD.

The applicant, Mr. Stephen Kuhn and his wife Ms. Verma Vandana testified in favor of the proposal and rebutted the statements made by the appellant.

Four additional members of the public spoke against the project stating the loss of open space, inconsistency with the Altadena Community Standards District, the need for an Oak Woodland Management Plan, confusion with the height determination, inconsistency with the character of the community and inaccurate information provided in the application materials; and one person spoke in favor of the project stating the impact would be minor.

Commissioner Shell inquired if the height measurements were in concurrence with development standards. County Counsel agreed with staff clarification on height determination. The height is determined by measuring the vertical distance from grade to the top of the structure. Calculations include the total area of the lowest grade level as well as the area below grade in order to prove that there is more area below grade than

09/07/16

PUBLIC HEARINGS (Cont.)

Zoning Permits - North Section

above grade for the lowest level of the residence. Therefore, the project is in compliance with the development standards.

Motion/second by Commissioners Modugno/Louie – That the Regional Planning Commission close the public hearing and adopt the Negative Declaration pursuant to state and local CEQA guidelines.

Motion/second by Commissioners Modugno/Louie – That the Regional Planning Commission affirm the decision of the Hearing Officer and approve Minor Conditional Use Permit No. 201400014 and Oak Tree Permit No. 201400035 with findings and conditions of approval.

At the direction of the Chair, the item passed unanimously. The appeal period for this item ends on Wednesday, September 21, 2016.

Land Divisions

Project Approved

7. **Project No. R2014-01529-(4). Applicant: Parallax Investment Corp (c/o Owen Larson). 18800 Gale Avenue, Rowland Heights. Puente Zoned District. a. Zone Change No. 201400008. A request to change from zone M-1.5-BE (Restricted Heavy Manufacturing, Billboard Exclusion) to zone C-3-DP (General Commercial-Development Program) for hotel uses on Parcels 2 and 3 pursuant to Title 22 of the County Zoning Code ("Zoning Code") Sections 22.16.070, 22.16.080 and 22.16.090. b. Vesting Tentative Parcel Map No. 072916. To create three (3) parcels and 155 commercial condominium units in conjunction with a proposed retail shopping center on 14.85 gross acres pursuant to Sections 21.48.010 and 21.48.090 of Title 21 of the Los Angeles County ("County") Subdivisions Ordinance and the Subdivision Map Act. c. Conditional Use Permit No. 201400062. To authorize a Development Program associated with the proposed Zone Change pursuant to County Code sections 22.40.030 and 22.40.040, a new commercial center as required by 22.44.132, to exceed a maximum height of 45 feet pursuant to County Code sections 22.40.030 and 22.40.040, on-site grading pursuant to 22.32.140 and sale of two full lines of alcoholic beverages for on-site consumption in conjunction with normal operations of two proposed hotels pursuant to County code sections 22.28.210. d. Parking Permit No. 201400006. To authorize 1,128 on-site vehicle parking spaces for shared parking between uses as set forth in section 22.56.990 of the Zoning Code. e. Environmental Assessment No. 201400121. To consider an Environmental Impact Report with impacts to operational air quality**

09/07/16

PUBLIC HEARINGS (Cont.)

Land Divisions

and cumulative operational traffic considered with mitigation measures pursuant to CEQA reporting requirements.

Mr. Jones presented the staff report followed by testimony from the applicant's representatives Aaron Clark, Stafford Lawson and David Shender in favor of the project.

In addition, six members of the community spoke in support stating that the project is a good enhancement to the community, good location for family celebrations and would be a great improvement for local economics with job opportunities.

Three members spoke in opposition stating the following concerns: traffic, changing of the rural character of the area, lack of uniform, English-language signage, a private-property easement at the eastern boundary of the property, inadequate parking and an out-of-date traffic study.

To these concerns, staff had previously indicated that the land use category was Industrial; the traffic study was done in accordance with County procedure; and that an amended exhibit map would be required for changes relating to the privately held setback easement.

The applicant and representatives rebutted that the project presented a sign program and that new businesses would need to comply with both the CC&Rs and the County requirements; that parking shortfalls are addressed by the shared concept and County controls including modification and/or revocation of the permit; and that the project would be a benefit for the entire community.

Commissioner Pedersen inquired regarding the pros and cons of commercial Condominium units and what safeguards are in place to ensure the property is maintained. In response the applicant's representative Stafford Lawson stated that the pride of ownership and owner's association and CC&R's would aid in a successful project.

Commissioner Louie asked if there were other similar successful projects in the County. Commissioner Smith inquired as to at what stage of development would the programming of the common open space be accomplished. The applicant answered during the development of the CC&Rs.

09/07/16

PUBLIC HEARINGS (Cont.)

Land Divisions

Commissioner Shell asked what mechanism could address the project site if an authorized parking permit proved to be a community nuisance. Staff replied that a permit could be called up for review based on Title 22 to be modified or revoked.

Commissioner Shell also requested that for tandem parking for nonresidential uses, there shall be valets or other persons employed to assist in the parking of automobiles. The ratio of valets to parking spaces shall be established with a Revised Exhibit "A" to the satisfaction of the Director. The parking of automobiles by valets on public streets shall be prohibited. The applicant's representative Mr. Clark concurred.

County Counsel suggested a condition be included in the authorization to speak to permit violations and permit use complications. In the event the Director determines parking is insufficient for the uses on the project site, the permittee must immediately apply for a new Parking Permit to correct the insufficiency. If the permittee fails to apply for a new parking permit, the insufficiency shall be addressed through the initiation of revocation and/or modification proceeding pursuant to Chapter 22.56, Part 13 of the County Code.

Motion/second by Commissioners Pedersen/Modugno – That the Regional Planning Commission close the public hearing, certify the Final Environmental Impact Report along with the required Findings of Fact and Statement of Overriding Consideration, and adopt the Mitigation Monitoring and Reporting Program for the project pursuant to state and local CEQA guidelines.

Motion/second by Commissioners Pedersen/Modugno – That the Regional Planning Commission approve Vesting Tentative Parcel Map No. 072916, Conditional Use Permit No. 201400062, and Parking Permit No. 201400006 with findings and conditions of approval and modification as stated above.

In addition, that the Regional Planning Commission indicate its intent to recommend approval of Zone Change No. 201400008 with findings and conditions.

At the direction of the Chair, the item passed unanimously. This project is a legislative matter which requires going to Board of Supervisors without any appeal opportunities.

09/07/16

DISCUSSION AND POSSIBLE ACTION

Current Planning Division

Action Taken as Noted

8. **Project No. 2016-000921-(1-5). Advance Planning Case No. RPPL2016001716. Access Requirements Ordinance. Unincorporated Los Angeles County. To consider an ordinance amending Title 22 (Planning and Zoning) of the Los Angeles County Code to ensure safe and orderly development through the provision of adequate physical access and legal access to each lot or parcel of land. The ordinance would add definitions to Section 22.08.010 and would add a new Part 31 to Chapter 22.52 to establish physical and legal access requirements for each lot or parcel of land. This project has been determined to be exempt from CEQA reporting requirements pursuant to CEQA Guidelines Section 15061(b) (3).**

Mr. Glaser presented on behalf of Mr. Edwards and informed the Commission that the Association of Rural Town Councils is requesting that this item be continued for public outreach comments. Staff requested additional time to conduct outreach to interested parties.

Motion/second by Commissioners Smith/Louie – That the Regional Planning Commission continue the public hearing to Wednesday, January 11, 2017 to allow additional time for outreach to interested parties as well as necessary revisions to the draft ordinance.

At the direction of the Chair, the item was continued to Wednesday, January 11, 2017.

LDCC/Site Plan Review

Action Taken as Noted

9. **(Appeal of Hearing Officer's Denial Due To Inactivity). Project No. R2008-00115 to 00116 and R2008-00257 to 00258-(3). Applicant: Bill Cohen. Calabasas Peak Motorway (Assessor's Parcel Nos. 4436-001-034 to 037). The Malibu Zoned District. a. Conditional Use Permit Nos. 200800012 to 200800013 and 201000024 to 201000025. The proposed development of four contiguous parcels with grading exceeding 5,000 cubic yards for each located in the A-1-10 (Light Agricultural – 10 Acre Minimum Required Lot Area) Zone and within the Santa Monica Mountains North Area Community Standards District (CSD). b. Variance Nos. 200800003 to 200800004 and 200800007 to 200800008. The development of four separate parcels with new single-family residences along a Significant Ridgeline within the Santa Monica Mountains North Area CSD. c. Oak Tree Permit No. 201000006. The encroachment of two oak trees for road widening on Assessor's Parcel No. 4436-001-037. d. Environmental Assessment Nos. 200800096 to 200800099. A Draft EIR**

09/07/16

DISCUSSION AND POSSIBLE ACTION (Cont.)

LDCC/Site Plan Review

for the study of development impacts to four contiguous parcels along a Significant Ridgeline.

Mr. Glaser presented on behalf of Mr. Silvas and informed the Commission that the applicant's representative submitted an email dated Thursday, September 1, 2016 requesting that the item be withdrawn and stop any further action on the entitlements due to the owners decision to sell the property.

Motion/second by Commissioners Smith/Louie – That the Regional Planning Commission accept the withdrawal of the appeal from the applicant and uphold the Hearing Officer's decision on April 5, 2016 to deny the Conditional Use Permit Nos. 200800012, 200800013, 201000024, 201000025, Variance Nos. 200800003, 200800004, 200800007, 200800008, and Oak Tree Permit No. 201000006, due to inactivity.

At the direction of the Chair, the item was continued to Wednesday, January 11, 2017.

PUBLIC COMMENT

10. Public comment pursuant to Section 54954.3 of the Government Code.

There were no requests by members of the public to address the Commission.

CONTINUATION OF REPORTS

11. Possible Call for Review of Decisions by Hearing Officer, pursuant to Section 22.60.200 of the Los Angeles County Code.

There were no items Called up for Review by the Commission.

12(x). Commission/Counsel/Director Reports.

Commission

Request to cancel the September 14 and 21 regular meetings of the Regional Planning Commission.

Motion/second by Commissioners Modugno/Smith - That the Regional Planning Commission cancel the Wednesday, September 14 and 21, 2016 meetings from the Approved Meeting Schedule. At the direction of the Chair, the item passed unanimously.

09/07/16

ADJOURNMENT

A recording of the testimony received and the discussions held at this meeting and a copy of all findings and resolutions acted upon by the Commission are on file in the Department of Regional Planning.

The Commission adjourned at 11:44 a.m. to Wednesday, September 28, 2016.



Rosie O. Ruiz, Commission Secretary

ATTEST

APPROVE



Laura Shell, Chair



Mitch Glaser, Assistant Administrator
Current Planning Division